

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

WHEELER JOSEPH PAAVOLA,

Defendant.

NO: CR-11-12-RMP-1

ORDER GRANTING
DEFENDANT'S MOTION FOR
INDEPENDENT EXPERT TESTING
AND ORAL MOTION TO
WITHDRAW HIS MOTION TO
SEVER DEFENDANTS

Before the Court are the Defendant Wheeler Joseph Paavola's Motion for Independent Expert Testing, ECF No. 99, and Oral Motion to Withdraw the Motion to Sever, ECF No. 55. The Court has reviewed the relevant pleadings and the file and is fully informed. This order is intended to memorialize and supplement the Court's oral rulings at the pretrial hearing held on August 8, 2011 in Spokane.

Mr. Paavola has moved the Court to order the Government to make available certain drug packaging items that were seized as evidence in this case. ECF No.

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1 99. The Government has not opposed the motion. ECF No. 102. At the hearing
2 on August 8, 2011, it became clear that the parties sought flexibility in scheduling
3 an inspection or analysis of the evidence in light of ongoing negotiations.

4 Also at the August 8th hearing, Mr. Paavola orally moved the Court to
5 withdraw his Motion to Sever Defendants, ECF No. 55. The Government did not
6 oppose the oral motion.

7 Accordingly, **IT IS HEREBY ORDERED:**

- 8 1. The Defendant's Motion for Independent Expert Testing, **ECF No. 99**, is
9 **GRANTED.**
- 10 2. The Government shall make the drug packaging items seized as evidence
11 in this case available for inspection and analysis by the Defendant's
12 expert. The parties shall confer to determine when and how such
13 evidence will be made available
- 14 3. The Defendant's oral motion to withdraw his Motion to Sever
15 Defendants is **GRANTED.**
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1 4. The Defendant's Motion to Sever Defendants, **ECF No. 55**, is hereby
2 **STRICKEN.**

3 **IT IS SO ORDERED.**

4 The District Court Executive is hereby directed to enter this Order and to
5 provide copies to counsel.

6 **DATED** this 16th day of August, 2011.

7
8 s/ Rosanna Malouf Peterson
9 ROSANNA MALOUF PETERSON
Chief United States District Court Judge